

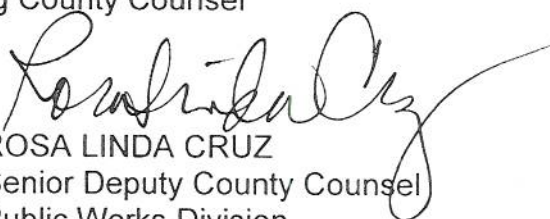
## ANALYSIS

This ordinance amends Chapter 5.90 of Title 5 - Personnel of the Los Angeles County Code to conform to changes made to Rule 2202 of the South Coast Air Quality Management District and makes other technical changes to the rideshare provisions applicable to County worksites which are defined to be facilities with one hundred or more employees.

Very truly yours,

JOHN F. KRATTLI  
Acting County Counsel

By

  
ROSA LINDA CRUZ  
Senior Deputy County Counsel  
Public Works Division

RLC:ia

Requested: 10/12/11

Revised: 03/27/12

**ORDINANCE NO. 2012-0027**

An ordinance amending Chapter 5.90 of Title 5 - Personnel of the Los Angeles County Code, to conform to changes made to Rule 2202 of the South Coast Air Quality Management District and making other technical changes.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 5.90.010 is hereby amended to read as follows:

**5.90.010 General.**

This chapter sets forth the actions department heads which supervise eCounty employees at any eCounty worksite of one hundred or more employees must take to promote eCounty employee participation in trip reduction and ridesharing programs. These programs are intended to reduce traffic congestion and air emissions from vehicles used for commuting between home and the worksite. This chapter also is intended to establish requirements at least as effective as ~~Regulation XV~~Rule 2202 of the South Coast Air Quality Management District ("SCAQMD") in increasing ~~AVR~~Average Vehicle Ridership at eCounty worksites.

**SECTION 2.** Section 5.90.020 is hereby amended to read as follows:

**5.90.020 Definitions.**

For the purpose of this chapter, the following definitions apply:

A. "Alternate transportation" means the use of non-motor vehicle modes of transportation. Walking and bicycling are examples.

B. "Average Vehicle Ridership ("AVR")" means the figure derived by dividing the employee population at a given worksite that reports to work weekdays between

6:00 a.m. and 10:00 a.m. by the number of vehicles\* driven by these employees commuting from home to the worksite during these hours. The AVR may be calculated using a weekly or biweekly-averaging periods. The applicable employee population is multiplied by the number of weekdays in the selected averaging period, then divided by the total number of vehicles driven by these employees to the worksite during the same period.

C. "Central City Area ("CCA")," also known as Performance Zone 1, means the Los Angeles City area bounded as described below:

1. By the Santa Monica Freeway (Route 10) from Union Avenue to Alameda Street;
2. Alameda Street from the Santa Monica Freeway to Sunset Boulevard;
3. Sunset Boulevard from Alameda Street to the Harbor Freeway (Route 110);
4. The Harbor Freeway from Sunset Boulevard to the Hollywood Freeway (Route 101);
5. The Hollywood Freeway to Temple Street;
6. Temple Street from Belmont Avenue to Union Avenue; and
7. Union Avenue from Temple Street to the Santa Monica Freeway.

D. "CAOCEO" means the Chief ~~Administrative~~Executive Officer of the County of Los Angeles.

E. "Department head" means a person formally designated as an acting department head, the employee who has the highest classification in a department which has no regularly appointed department head or designated acting department head, as well as regularly appointed department heads.

F. "Employee" means any person employed by the eCounty.

~~J.G. "Trained transportation coordinator~~Employee Transportation Coordinator  
("ETC")" means a person who has completed a training program in transportation management approved by the ~~South Coast Air Quality Management District's~~SCAQMD's Trip Reduction Training Coordinator Advisory Committee ~~or who can demonstrate experience equivalent to that covered in an approved transportation management program.~~ The training program must include, but need not be limited to: review of available commuter matching resources and services, detailed explanation of the eligible activities listed in Section 5.90.030-(d)D, explanation of the relationship between transportation management and air quality, and guidance in developing a trip reduction plan. The ~~GAO~~CEO will provide a list of training programs developed by the Trip Reduction Training Coordinator Advisory Committee to each department head subject to the ordinance codified in this chapter.

~~G.H.~~ "Ridesharing" means the cooperative effort of two or more people traveling together. Utilization of carpools, vanpools, buspools, taxipools, trains and public transit are all methods of ridesharing.



H.I. "Ridesharing and trip reduction incentives" mean inducements offered to individuals to encourage ridesharing and trip reduction. Examples of incentives are included in Section 5.90.030 ~~(d)~~D.

I.J. "Source/receptor areas" means areas established by the ~~South Coast Air Quality Management District~~SCAQMD based on air monitoring and geographical and meteorological factors. A source area is that area in which air contaminants are discharged. A receptor area is an area in which the contaminants accumulate and are measured. An area can be a source area, a receptor area, or both. The map in Exhibit 5.90.030 shows the source/receptor areas established by the ~~district~~SCAQMD.

JK. "Telework" means an alternate method of work where the employee, also known as the Teleworker, works from home or a location closer to their home like a branch office.

L. "Worksite" means a building or grouping of buildings located within the ~~e~~County which are in actual physical contact or separated solely by a private or public roadway or other private ~~o~~f public right-of-way, which is owned or operated by the ~~e~~County, and which is the location of employment of one hundred or more employees.

\* Vehicles counted shall exclude bicycles, transit vehicles, buses serving multiple worksites and cars stopping en route to other worksites. ~~District~~SCAQMD-approved low pollution vehicles shall also be excluded.

**SECTION 3.** Section 5.90.030 is hereby amended to read as follows:

**5.90.030 Increase in average vehicle ridership.**

A. Within ninety days of the effective date of the ordinance codified in this chapter, the ~~CAO~~CEO shall prepare ~~a trip reduction plan ("Plan")~~an Employee Commute Reduction Plan ("ECRP") applicable to each department head who supervises employees at a worksite which shall meet the requirements of this chapter.

B. The ~~Plan~~ECRP must specify the measures the department head will take to achieve the specified ~~Average Vehicle Ridership (AVR)~~ for employee vehicles subject to the ordinance. ~~District~~SCAQMD AVR targets are:

1. 1.75 AVR in Performance Zone 1, which is comprised of the Central City Area of Source Receptor Area 1;
2. 1.5 AVR in Performance Zone 2, which is comprised of Source Receptor Areas 1 (excluding the Central City Area), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22, 23, 32, 33, 34 and 35;
3. 1.3 AVR in Performance Zone 3, which is comprised of Source Receptor Areas 13, 14, 15, 24, 25, 26, 27, 28, 29, 30, 31, 36, 37, 38, 39 and 40. (See Exhibit 5.90.030 for locations of specific source/receptor areas.)

C. The ~~Plan~~ECRP shall be prepared by a ~~trained transportation coordinator~~certified ETC and shall include:

1. Designation of a ~~trained transportation coordinator~~certified ETC responsible for implementation of the ~~plan~~ECRP.

2. An inventory of current measures used by the department head intended to achieve increases in ~~Average Vehicle Ridership~~AVR.

3. A verifiable estimate of the existing ~~Average Vehicle Ridership~~AVR at the worksite, as defined in Section 5.90.020B. In the case of multiple worksites in close proximity although separated by more than one right-of-way, a single ~~plan~~ECRP may be prepared for all worksites.

4. A list of specific incentives the department head will undertake which can reasonably be expected to lead to achievement of the target AVR level within twelve months of plan approval.

D. Increasing AVR may be achieved by, but is not limited to the following:

...

9. Active use of a computerized rideshare matching service such as ~~Commuter Computer or Orange County Transit District Commuter Ridesharing Matching Services~~, the Metropolitan Transportation Agency's ("Metro") Rideshare Matching Services or an effective in-house rideshare matching service;

10. Compressed work weeks such as a 4/40 or 9/80 work schedule where employees work forty hours in fewer than five days in one week or eighty hours in fewer than ten days in two weeks;

11. Flexible work hours that facilitate employee ridesharing;

12. ~~Telecommuting or work at home.~~Telework.

**Editor's Note:** Because of the size and/or complexity of the graphic set out in this section, it has been removed from this electronic database. This graphic can be found in the printed code currently on file in the clerk's office or in any recent printed version of the code.

**SECTION 4.** Section 5.90.040 is hereby amended to read as follows:

**5.90.040      Procedural requirements for planECRP.**

A.     The GAOCEO must update the PlanECRP annually based upon each department head's annual review and report.

B.     Each department head must, on an annual basis, review its implementation of the PlanECRP. The review shall focus on ridesharing and trip-reduction incentives offered by the department head. The review shall consist of a report to the GAOCEO that:

1.     Estimates AVR levels attained;
2.     Verifies that the PlanECRP incentives have been offered;
3.     Describes use of those incentives offered by the department head;
4.     Evaluates why the PlanECRP did or did not work, and explains why proposed revisions to the planECRP are likely to achieve the AVR target levels;
5.     Lists additional incentives which can reasonably be expected to correct deficiencies; and
6.     Explains why the additional incentives are likely to result in achieving AVR target levels.



C. The GAOCEO may perform follow-up audits on a selective basis. The GAOCEO shall notify the department heads of the submittal deadline for the review and update.

D. The review and updated planECRP shall be prepared twelve months from the date of the initial planECRP preparation.

**SECTION 5.** Section 5.90.050 is hereby amended to read as follows:

**5.90.050      Exemption from SCAQMD Regulation ~~XV~~Rule 2202.**

A. The GAOCEO shall, within ten days of the effective date of the ordinance codified in this chapter, make written application to the Executive Officer of the ~~South-Coast Air Quality Management District~~SCAQMD for exemption from the ~~district~~SCAQMD's Regulation ~~XV~~Rule 2202, on the basis that the requirements of this chapter are at least as effective as the ~~district's~~SCAQMD's Regulation ~~XV~~Rule 2202 in increasing average vehicle ridership at eCounty worksites.

B. In order to maintain the eCounty's exemption from the ~~district's~~SCAQMD's Regulation ~~XV~~Rule 2202, the GAOCEO shall submit an annual report to the Executive Officer of the ~~district~~SCAQMD describing the trip reduction incentives being offered by the eCounty and the annual AVR levels achieved at the eCounty's worksites.

[590010RLCCC]

SECTION 6. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Zev Yaroslavy  
Chairman

ATTEST:

Sachi A. Hamai  
Sachi A. Hamai  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that at its meeting of June 19, 2012 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Gloria Molina  
Mark Ridley-Thomas  
Zev Yaroslavy  
Michael D. Antonovich

Noes

Supervisors None

Effective Date: July 19, 2012

Operative Date: \_\_\_\_\_

Sachi A. Hamai  
Sachi A. Hamai  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that pursuant to  
Section 25103 of the Government Code,  
delivery of this document has been made.

SACHI A. HAMAI  
Executive Officer  
Clerk of the Board of Supervisors

By [Signature]  
Deputy



APPROVED AS TO FORM:  
JOHN F. KRATTLI  
County Counsel

By [Signature]  
John F. Krattli  
County Counsel